

**Maine Dept. of Public Safety**

**State Application**

**For**

**Edward Byrne Memorial Justice Assistance Grant (JAG)  
Program**

**CFDA # 16.803**

**\$6,060,129.00**

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## **Abstract**

Maine's application for Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) funding seeks to accomplish both the purposes of the American Recovery and Reinvestment Act of 2009 and the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program. This encompasses preserving and creating jobs, promoting economic recovery and improving the effectiveness and efficiency of the criminal justice system.

Maine is located in the extreme northeast of the United States and has approximately 1.2 million residents and is mostly rural. It has approximately 3,500 miles of coastline with numerous deepwater harbors and more than 2,000 coastal islands. The state has a common border with Canada which runs for 591 miles and which has 62 unguarded border crossings.

The majority of Maine law enforcement agencies are small. Therefore, Maine law enforcement officials know they must be innovative and work collectively and in concert with communities and other criminal justice and service agencies to solve common crime problems. Despite limited resources, many communities in recent years have developed programs to address drug and crime through coordinated efforts.

The five priority objectives have been identified for JAG funding. These are

1. [Statewide Multi-jurisdictional Drug Task Force](#)
2. [Multi-Jurisdictional Drug Prosecution Support](#)
3. [Maine Integrated Community Safety Information System \(MICSIS\)](#)
4. [Correctional System Improvement](#)
5. [Law Enforcement and Criminal Justice Initiatives](#)

These priorities have been developed through a deliberative consultative process. The Maine Justice Assistance Council, the advisory board established by executive order, has stakeholders representing the criminal justice community in Maine and works to establish priorities that reduce crime and violence. In addition, a public hearing was held on March 16, 2009 so citizens and organizations had an opportunity to provide comments.

## Program Narrative

Maine is experiencing numerous job losses because of a poor economy both in the private and public sector. Byrne/JAG Recovery funding will create jobs, sustain jobs that would be eliminated by budget shortfalls and provide investments to criminal justice initiatives. The SAA, the Maine Department of Public Safety's application fulfills the goals of American Recovery and Reinvestment Act of 2009 and the Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program.

## Maine Priority Objectives

The Maine Justice Assistance Council in coordination with the Maine Department of Public Safety, the SAA, held a public hearing on March 16, 2009. With input from the criminal justice community and an analysis of crime trends in Maine and, the following five priority objectives were identified.

### 1. Statewide Multi-jurisdictional Drug Task Force

Maine will use Justice Assistance Grant (JAG) funding for statewide multi-jurisdictional drug task force activities for the integration and unification at all levels of law enforcement, including prosecutorial as well as investigative agencies, in drug enforcement. Illicit drug activity afflicts every community statewide and considering the most recent Uniform Crime Reports and criminal justice system stakeholder input, illicit drug abuse, is a serious crime problem in the state. Drug abuse, is also linked to domestic violence, property crime and youthful criminal behavior. Successful investigation and offender prosecution reduces drug trafficking and abuse, as well as related criminal activities. Assessment determined our **Multi-jurisdictional Drug Enforcement** response provides a very sound framework and means to achieve solutions or to ameliorate this problem and associated issues.

The lack of sufficient, dependable financial resources for personnel and support continues to be a barrier to furthering this program's goals. Byrne/JAG funding helps in reducing the funding shortfalls.

**Pass Through:** JAG requires that states pass through a variable amount of funds to local units of government, such as tribes and community- and faith-based groups. As permitted we

wish to fund activities, MDEA, that will be administered by the state but will directly benefit unit(s) of local government. That is, MDEA will provide salary reimbursement to local agencies for agent services. Each local jurisdiction receiving funding will voluntarily sign a waiver. This waiver will certify that the local jurisdiction: recognizes that the funds in question are set aside for local government use; believes that the proposed program will provide a direct local benefit; and agrees that funding at the state level is in the best interests of the unit of local government.

Our intent is to immobilize drug trafficking organizations by incarcerating their members, seizing their drugs, obtaining drug-related asset forfeitures, and deporting alien traffickers. A successful investigation and prosecution effort reduces drug trafficking and abuse, as well as related criminal activities, such as money laundering, tax evasion, and corruption.

Multi-agency operations, in the form of regional task forces, are a primary response to Maine's response to illicit drugs. Central to Maine's approach to drug enforcement is a joint federal/state/county/local effort, formalized and structured, to provide effective and efficient use of limited resources since the expertise necessary to combat drug trafficking resides in a diverse collection of federal, state, county, and local departments and agencies within the State of Maine. Each of these brings a unique combination of skills, expertise, and experience to the fight against drug trafficking and abuse. For most of these organizations, however, drug law enforcement is only one of many missions to be performed.

The State of Maine has great need for a focal point for policy, strategy, and resource utilization in the war against drug trafficking and abuse. Using the JAG funds devotes financial resources in support of the Maine Drug Enforcement Agency and the complementary prosecution support of the Maine Office of Attorney General to overcome obstacles to full-county and local participation in ventures and expansion of the number of operating task forces to realize full statewide coverage.

The Maine State Legislature had the foresight in 1987 to put into statute the creation of a statewide infrastructure to tackle Maine's illicit drug abuse problem by creating what is now the Maine Drug Enforcement Agency (MDEA). The MDEA, as a cornerstone of the State's enforcement strategy to address drug abuse and trafficking, provides the administrative platform for the effective and efficient use of limited resources. It is through the MDEA that the skills, expertise, and experience of officers assigned to its task force groups are brought together as a statewide drug task force.

**Title 25 §2955**

**Authority of agency officers.** The director, assistant director, commanders, supervisors and agents are vested at the discretion of the commissioner with the following:

- A. The authority throughout the State to arrest pursuant to Title 17-A, section 15;
- B. The same powers and duties throughout the several counties of the State as sheriffs have in their respective counties to serve criminal process, to investigate and prosecute violators of any law of this State and to arrest without warrant and detain persons found violating or attempting to violate any other penal law of the State until a warrant can be obtained. They have the same rights as sheriffs to require aid in executing the duties of their office; and
- C. The same powers and duties throughout the several counties of the State as sheriffs have in their respective counties to serve civil process in all matters relating to investigations or violations of Title 17-A, chapter 45 or actions arising under or initiated pursuant to Title 15, chapter 517.

**Analysis of Need**

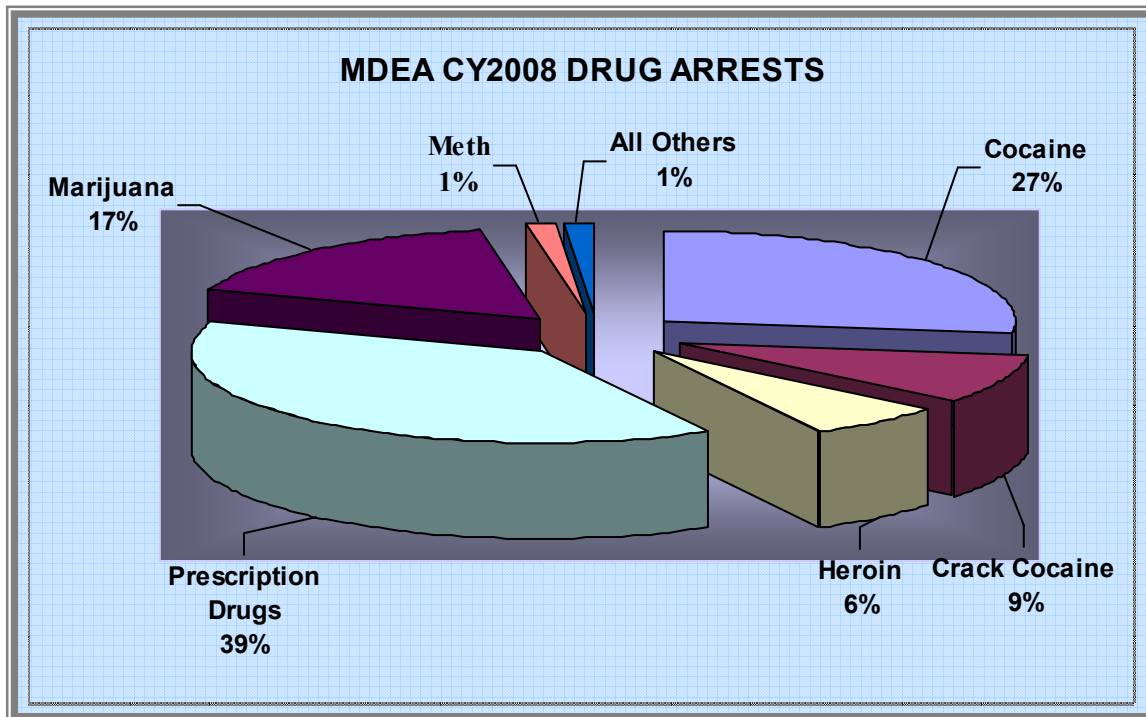
All Maine communities are affected by drug use and abuse. The availability of illegal drugs, diverted prescription medications, related crime, medical and legal costs and the lives they impact are evidence of this. Without an effective enforcement program to disrupt the drug market, the State is unable to undermine the ability of drug suppliers to meet, expand, and profit from drug demand. An ineffective program impacts the State's ability to support prevention efforts by making initiation to drug use more difficult and fails to contribute to treatment efforts by eroding the ability of users to sustain their habits. The MDEA through its regional multi-jurisdictional task forces is the lead state agency in confronting drug trafficking crime.

The effective and efficient use of limited resources and personnel are essential. Every MDEA Regional Task Force works closely with the Maine State Police, the Sheriff's Offices, and area police departments. Geography, population and caseload require that good working relationships, partnerships, communication, collaboration and information exchanges with all drug investigative entities working together to maximize the utilization of limited resources and personnel.

In 2008, these efforts resulted in:

- Conducted 1,023 investigations and 150 search warrants resulting in the arrest of 739 individuals disrupting drug distribution and availability in all 16 counties.
- Assisted other agencies with 418 investigations.

- Of MDEA's drug-related arrests:
  - 27% Cocaine; 9% Crack cocaine; 6% Heroin; 17% Marijuana; 39% Prescription drug; 1% Methamphetamine; and 1% All Others
- 73% of all arrests were for felony crimes.
- Seized
  - 159 firearms
    - 105 rifles / shotguns;
    - 43 handguns;
    - 11 assault-type firearms;
  - \$13,784,487 value of drugs seized
    - 9.1 pounds cocaine powder;
    - 0.9 pounds crack cocaine;
    - 0.4 pounds hashish
    - 1.5 pounds heroin;
    - 171 LSD units
    - 224.5 pounds marijuana
    - 3,557 cannabis plants
    - 0.1 pounds methamphetamine;
    - 1,027 Ecstasy (MDMA) tablets;
    - 1,590 pharmaceutical milliliters
    - 10,889 narcotic, stimulant and tranquilizer pills;
  - \$355,511 USC seized; and
  - \$154,360 value of other assets seized.



Maine, as the northernmost New England state, is impacted by drug distribution centers to our south from southern New England and New York, and as well as our neighbor to the north, Canada. Out-of-state and in-state drug trafficking organizations, the vast open Canadian border and thousands of miles of coastline are significant and formidable challenges to stemming the flow of drugs into and through the State of Maine. Cocaine, crack cocaine and heroin are the primary drug threats from the south. Methamphetamine, Ecstasy (MDMA) and hydronic marijuana are our primary drug threats from the north.

**The following analysis is provided from the Drug Enforcement Agency on type of drug prevalence in Maine**

**Drug Situation:** Marijuana, locally grown and also imported from Canada, Connecticut, Massachusetts, and New York, remains the primary drug of abuse in Maine; nevertheless, the use and availability of cocaine, heroin, and diverted pharmaceuticals continues to be problematic. Methamphetamine remains a minor concern; however, law enforcement sources in the northeastern portion of Aroostook County continue to report the availability and abuse of Canadian-produced “Yaba” tablets and “Enhanced Ecstasy” along the Canadian and United States border.

**Interstate 95, “The New England Pipeline,”** remains the interdiction focus in Maine since it travels through the interior of the state, connects several of the larger cities, and terminates at the Canadian border.<sup>1</sup> A significant potential exists for methamphetamine production and distribution in the state. Interstate 95 provides an important north-south transportation route for traffickers traveling to sources of supply in several northeastern Massachusetts cities. Maine’s 228 miles of coastline and 3,478 miles of shoreline offer ample opportunities for smugglers.

**Marijuana,** historically the illicit drug of choice in the state, is plentiful and readily available. Year-round indoor grows are common, but high-grade marijuana cultivated in Canada is smuggled over the border. Commercial-grade marijuana is often obtained from middlemen in the southern New England states and New York. Hashish is available sporadically in small quantities; however, the availability of the drug by outlaw motorcycle gangs operating across the border in Canada may change the situation in Maine.

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<sup>1</sup> DEA Brief, 2008



**Other Drugs:** Khat, along with powdered cocaine which is locally cooked into crack cocaine, continues to find its way into ethnic communities in Lewiston and Portland.

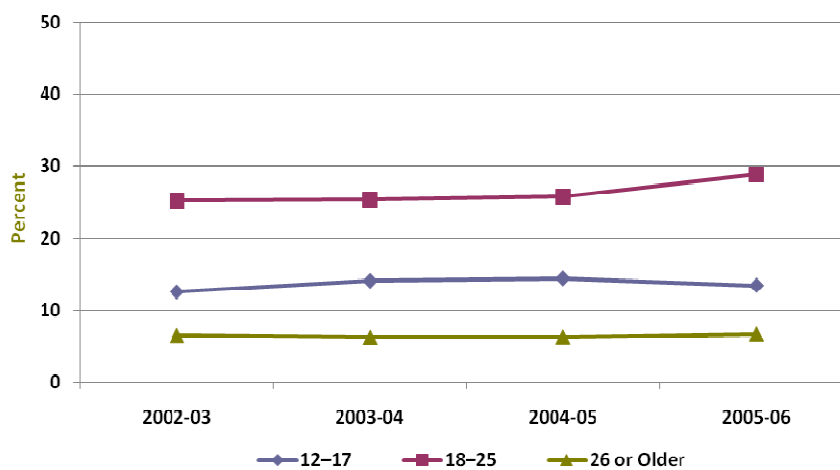
**Pharmaceutical Diversion:** The state continues to experience an increase in the availability of diverted pharmaceuticals. Oxycodone products such as Percocet®, Roxicet®, Dilaudid®, and OxyContin® are readily available. Doctor-shopping schemes, falsified prescriptions, and illicit sale and distribution by health-care professionals and workers are the primary diversion methods. Canadian pharmaceuticals, sold at cheap prices, also continue to be smuggled into the state. Current investigations indicate that OxyContin® diversion continues to be a problem in Maine. Diverted Methadone and its Suboxone alternative have also been identified as being among the most commonly abused and diverted pharmaceuticals in Maine.

**Heroin:** Massachusetts-based Dominican traffickers continue to be the primary suppliers of high quality heroin to the Maine distributors. These distributors, who typically transport the drug in passenger vehicles, provide for a moderately increasing availability of heroin in the state. While use is more prevalent in southern communities, it is also encountered in coastal and Canadian-border communities and has spread into rural and remote areas.

In addition, Maine has both the most law enforcement agencies reporting prescription drugs contributing to property crime (32%), and the most law enforcement agencies reporting that prescription drugs contribute to violent crime (27%) compared to the rest of the nation (2007 National Drug Threat Survey, as reported in Benak et al., 2007). When these proportions are applied to the 2006 crime data reported by the Uniform Crime Report, that translates into 411 violent crimes and 10,710 property crimes that could be attributed to prescription drug abuse.

The Maine Office of Substance Abuse reports consumption of illicit drugs in Maine increased slightly from 2003 through 2005 and remains highest among 18-25 year olds (NSDUH).

*Figure 11. Past Month Use of Any Illicit Drugs Among Mainers Age 12 and Older, By Age: 2003-04 to 2005-06*



Source: 2002/03 - 2005/06 NSDUH

In 2005-06, 29 percent of 18-25 year olds reported illicit drug use (including marijuana) in the past month, making Maine the state with the third highest rate of reported illicit drug use among 18-25 year olds in the nation.

Among that same population, reports of abuse or dependence on illicit drugs in the past year have remained fairly stable since 2002-03; however, Maine is consistently about three percentage points higher than the national average (11 percent in 2005-06 compared to eight percent nationally).

Overall, illicit drug use in Maine is greatly influenced by the prevalence of marijuana. When marijuana is excluded from the analysis of illicit drug use, the picture changes dramatically.

## **2. Multi-Jurisdictional Drug Prosecution Support**

Multi-Jurisdictional Drug Prosecution Support is located within the Criminal Division of the Maine Office of Attorney General. The AG uses funds for assigned drug task force attorneys and a legal secretary to support MDEA task forces in collaboration with Maine's 8 district attorney offices. This model achieves a high level of coordination and intelligence sharing within a regional drug task force area between the Office of the Attorney general, the District attorney's and the Maine Drug Enforcement Agency and law enforcement agencies. This coordinated effort results in a large volume of high quality felony drug cases.

The Maine Office of Attorney General provides dedicated prosecutorial support for the task force. The prosecutorial aspect of the regional task force has six (6) Maine Drug Task Force (MDTF) attorneys and a Drug Prosecution Coordinator, an Assistant attorney General assigned by the Attorney General to prosecute the drug cases of MDEA and other law enforcement agencies pursuant to 25 M.R.S.A. § 2955 (7). This model achieves a high level of coordination and intelligence sharing within a regional drug task force area between the Office of the Attorney general, the District attorney's and the Maine Drug Enforcement Agency and law enforcement agencies. This coordinated effort results in a large volume of high quality felony drug cases.

Project outcomes in the forthcoming year are to:

- Sustain on-going multi-jurisdictional drug enforcement statewide and consultation and legal advise to MDEA agents and to local law enforcement agencies; and
- Sustain the number of investigations, arrests and drug cases prosecuted.

### **Analysis of Need**

Maine Drug Task Force (MDTF) Attorneys not only conduct all of the ordinary prosecutorial functions in drug cases (e.g. grand jury, motions, trial, sentencing), but also perform many other functions such as reviewing all search warrants for the Maine Drug Enforcement Agency (MDEA) and a number of local law enforcement agencies, giving advice on suspect targeting, filing applications or grand jury subpoenas for telephone, utility and prescription records, conducting investigative grand juries, and extensive law enforcement training. Unlike typical prosecutors, MDTF Attorneys are charged with assisting drug investigators in the earliest stages of an investigation, resulting in more appropriate charging and a reduced possibility of a constitutional challenge to the case or civil liability to the State. MDTF Attorneys also function as an important part of the system of “checks and balances” on agents and drug investigations in general, providing essential guidance on investigative priorities and techniques. MDTF Attorneys work closely with drug investigators as cases develop and are available to the investigators 24 hours a day, every day.

### **3. Maine Integrated Community Safety Information System (MICSIS)**

This system will provide to state and local criminal justice and community safety agencies, an integrated criminal justice information system that improves community safety and the administration of justice by enhancing and connecting electronic information management systems across local, state and geographic agency lines.

The development of MICSIS will involve employing, using small and local contractors, many highly paid professional technical development personnel on a temporary basis. This project is fully planned and ready to build, so contractors will be put to work quickly and steadily until the completion of the project in 2011.

This project when completed will have the following benefits to statewide community safety and criminal justice entities.

- Provides to the Courts
  - Electronic Court Case File management to allow the electronic processing of court documents, reducing duplicated file, increasing accuracy and efficiency
  - Electronic Filing for criminal cases, reducing paperwork and maximizes staff time

- Electronic Bench and Chambers allowing judges to enter orders and review case files from computers on the bench or in chambers
- Criminal Document Management allowing the courts to archive digital documents and reducing greatly the cost of storing paper.
- Judicial Criminal Information Broker allowing the court to share appropriate information with other agencies quickly and accurately.
- Provides Public Safety
  - Direct access to courts disposition records for updating criminal histories quickly and efficiently
  - Direct access to prosecutors' charging decisions
  - Direct access to actual Protection Orders and Bail Bonds enhancing public safety
  - Direct access to Warrants issued and recalled improving public safety and ensuring the protection of liberty
- Provides to BMV
  - Electronic suspension notices and restorations allowing for improved traffic safety and improved time to reinstatements
  - Electronic Motor Vehicle Conviction Abstracts allowing BMV to appropriate administrative actions more quickly
- Provides to Dept of Corrections
  - Electronic Judgment and Commitment orders
  - Electronic Conditions of Probation enhancing the ability to ensure compliance
  - Direct access to actual Protection Orders and Bail Bonds enhancing public safety
  - Direct access to Warrants issued and recalled improving public safety and ensuring the protection of liberty
- Provides to the Office of the Attorney General
  - Arrest Warrant Management Tools
  - Electronic complaint filing, further reducing the paperwork load.
  - Electronic Scheduling and Trial list notices
  - Direct access to SBI for person source verification
  - Direct access to CHRI for improved criminal histories

Apart from providing much needed improvements to statewide entities this project also directly benefits many local public and community safety agencies as listed below:

- Provides to Local Law Enforcement
  - Direct electronic information sharing with other agencies state wide
  - Technical assistance to prepare and improve local case management systems for connection to the state wide system
  - ⊖ Allow the use of electronic charging instruments reducing time spent on paper work-
  - Electronic police witness scheduling, reducing the potential of overtime for officers
  - Instant access to Improved Criminal History reports
  - Direct electronic access to actual Bail Bonds, and Protection Orders
  - The ability to download and serve Protection Orders from any jurisdiction
- Provides to Local Prosecutors
  - Arrest Warrant Management Tools
  - Electronic complaint filing, further reducing the paperwork load.
  - Electronic Scheduling and Trial list notices
  - Direct access to SBI for person source verification
  - Direct access to CHRI for improved criminal histories
- Provides to Local Community Safety Agencies
  - Access to Issued Protection Orders
  - Interfaces to file for protection from abuse from the safety of a shelter or a health care facility
  - Electronic notifications of sex offender registrant activity
  - Electronic Victim notification (with DOC) of offender status changes

This is only a partial list of the specific features of the MICSIS that will benefit state and local agencies. These Benefits are multiplied by the overall effect to the state wide criminal justice system, providing increased efficiency, accuracy, safety, accessibility to all community safety and criminal justice actors: state, county and local, and ultimately to the benefit of the people of Maine.

## **Analysis of Need**

As explained in the National Conference of State Legislatures report, *An Integrated Criminal Justice Systems*, an integrated criminal justice information system is needed to allow the seamless sharing of information. The information shared includes all criminal justice related data, including photographs, fingerprints, DNA identification records, case records, court calendars, electronic messages and documents.

Access to the right information at the right time is critical for the effective operation of criminal justice agencies. Many of the information systems developed for criminal justice agencies some 20 years ago improved the ability for reporting and analysis, but usually were designed to address single-agency operational needs. With the growing volume of criminal cases and complexity of the justice system, these agency or department specific computer systems have proven ineffective for sharing and exchanging data between agencies. Criminal justice practitioners need systems that provide fast, accurate exchange of information among justice agencies in order to proactively address crime. Information, for example, about prior arrests, convictions, parole, bail, and so forth is crucial to making decisions about disposition options such as sentencing and supervision requirements. Creating an information infrastructure that provides seamless, timely access to critical information is a key requirement for justice agencies to carry out statutory policy for criminal cases and offenders.<sup>2</sup>

## **4. Correctional System Improvement**

Less than a year ago, the Legislature enacted a major restructuring of corrections in the State of Maine. Initially proposed by the Governor, the final agreement to unify state and county corrections seeks to develop and implement a unified correctional system that demonstrates sound fiscal management, achieves efficiencies, reduces recidivism and ensures the safety and security of correctional staff, inmates, visitors, volunteers and surrounding communities.

The task of accomplishing this new system is the responsibility of an appointed Board of Corrections. The board has been in existence for 8 months and has issued their initial recommendations which include reviewing and revising the mission of all correctional facilities,

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<sup>2</sup> Morton, Heather, *Integrated Criminal Justice Information Systems*  
National Conference of State Legislatures found at <http://www.ncsl.org/programs/lis/intjust/report01.htm>

downsizing several facilities, and improving program services such as pretrial services, reentry and mental health services.

Pretrial services will be the Board's priority in the first phase of implementing the redesigned correctional system. Pretrial services have been identified as a significant opportunity and in need of attention by several recent studies of Maine's correctional system. In 2007 the Corrections Alternatives Advisory Committee included an expansion and restructuring of pretrial services as one of their recommendations to address the growth in county jail populations and costs. According to their final report:

**Pretrial defendants represent the majority of the population in most county jails.**

Before 1993, 60 percent of county jail inmates were sentenced (post-conviction status) and 40 percent were pretrial. By 2004, these statistics had reversed, with pretrial defendants making up 63 percent of the county jails' average daily population. Interestingly, however, a wide range exists in the percentage of pretrial defendants in individual county jails from a low in Piscataquis County of 16.4 percent to a high in Cumberland County of 74.7 percent. This range seems to show that the criminal justice system in some counties may be more effective at handling pretrial defendants and may have programs or approaches that others could adopt to address this concern.

The average length of stay for those pretrial defendants in a majority of Maine jails is more than three times higher than those in other states. The increasing average length of stay for pretrial defendants in Maine jails is one of the major factors contributing to the increase in county jail population.

**1. The Board of Corrections is proposing to fully fund pretrial services.** The proposal includes the hiring of a Director of Pretrial, Diversion and Reentry to oversee the expansion of pretrial contracts throughout the state, consolidating existing contracts into regional contracts to achieve efficiencies and monitor performance; adopt an evidence based pretrial risk assessment instrument; and develop consistent standards for pretrial services. Currently pretrial services are provided under contract by Maine Pretrial Services and Volunteers of America Northern New England in 14 of the 16 counties in the state.

The board is requesting the support of the Justice Assistance Council and the use of federal Recovery Act funds to accomplish a significant policy initiative for the State. The proposal also addresses several important goals of the Recovery Act:

- It will create jobs by expanding pretrial contracts to add 11 additional case managers and 4 supervisory staff;
- It will create efficiencies by reducing the demand for very expensive jail beds; a conservative estimate of \$1.75M in avoided incarceration costs and by consolidating the number of contracts;
- It supplements the existing investment in pretrial services, but does not replace or supplant them
- It can be implemented quickly

2. **The Board is proposing to achieve efficiencies in the transportation of inmates through the creation of a regional transportation hub system.** The board recognizes the significant additional resources being expended by the redundant transportation system that has been in place serving all the county jails and the state correctional facilities. The board proposes to consolidate long range transportation under a transportation hub system that would be coordinated by a transportation coordinator. Historically, each jail and the Department of Corrections has provided transportation services to their jurisdiction, to include transfers between county facilities, transfers to state facilities for inmates under new sentences, or transports for writs and new warrants. Multiple jurisdictions could be traveling the same route to the same destination at the same time.

The board is requesting the support of the Justice Assistance Council and the use of federal Recovery Act funds to accomplish this restructuring initiative. The proposal also addresses several important goals of the Recovery Act:

- It will create jobs;
- A coordinated transportation system will create efficiencies
- It can be implemented quickly

The regional transportation system is currently being piloted in Northern Maine and has demonstrated initial savings.

The entire correctional system, institutional and community is also assessing the critical programmatic needs of the 10,000 adults who are either institutionalized or under community supervision.



Three major areas of need have been identified that will enhance the process of implementing a systematic, coordinated and effective approach to adult correctional improvements:

1. Pretrial monitoring and supervision
2. Programs and services designed to transition inmates from institutions to communities.
3. Coordinated Correctional Regional Transportation System

### **Analysis of Need**

According to a comprehensive study of pretrial services conducted for the Corrections Alternatives Advisory Committee, there are a number of concerns related to the provision of pretrial services in Maine.

- Four counties (Franklin, Hancock, Oxford, Somerset) are not served consistently by a Pretrial Services program.
- The 12 counties that are served by a Pretrial Services program are provided limited services, primarily screening and supervision, due to significant program under funding.
- Pretrial Services program practices vary significantly between providers and among counties. A number of practices are not consistent with national standards issued by the American Bar Association, National Association of Pretrial Services Agencies, and the National District Attorney's Association relating to pretrial release and pretrial services programs.

Additionally, this year the McKinsey report, commissioned by the Governor's Council on Economic Competitiveness, identified pretrial service investment as a key efficiency measure for Maine Government.

## **5. Law Enforcement and Criminal Justice Initiatives**

Maine will use the SAA share of the funds to compliment other statewide initiatives, including the following:

- Contracts with local units of government through an RFP process to further the initiatives of the Act.
- Equipment for Maine State Police
- Training for criminal justice personnel
- Personnel

## **Analysis of Need**

The Maine Stat Police is seeking to increase their sworn law enforcement personnel by ten troopers through the COPS Hiring program. COPS Hiring does not provide for equipment costs, so Byrne/JAG funding will be used to complement those efforts.

Training will also be a priority, both for law enforcement and other law enforcement personnel such as emergency communication call-takers. In addition, cost savings can be achieved by making training available online thus saving transportation costs and time.

Depending on the results of other grants that DPS is applying for, we may also use funding for crime analyst positions.

## **Organizational Capabilities and Competencies**

Maine has adopted very stringent policies regarding **American Recovery and Reinvestment Act** of 2009. Governor Baldacci issued an Executive Order that outlined requirements to manage fiscal stimulus resources in a manner that is prudent, accountable and transparent and in a manner that is as expeditious as possible. Ryan Low, the Commissioner for the Department of Administrative and Financial Services, is the State Coordinator for managing stimulus funding. All departments, agencies and other instrumentalities of the State are instructed to provide all necessary data, reports and information to guarantee full and complete disclosure of how stimulus funding is being used.

All contracts issued using ARRA funds will follow specific procedures to ensure transparency and accountability. The vendor will maintain detailed records of their expenditure of 2009 Stimulus Funds in connection with this agreement and submit as reports as requested by the State of Maine. The State of Maine as the recipient of funds under the ARRA is subject to quarterly reporting requirements and oversight by federal agency inspectors. Additional reports may be required under this agreement.

The Maine Dept. of Public Safety's financial work is managed by a separate state agency that is responsible for financing functions, which is the Security and Employment Service Center (SECS).

SESC in conjunction with DPS has developed a chart of accounts that will allow the program/fiscal staff to track the Recovery Expenditures separately from our existing awards in

the Federal account. We will be setting up new unit codes within Fund 020 to track the recovery money.

Finance staff will attend the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Office of the Chief Financial Officer (OCFO) two-day financial management training seminar.

Competitive bidding is required under state law for all purchases in excess of \$5000.

DPS, as the State Administrative Agency (SAA) has maintained a monitoring system for criminal justice program grants it receives from the U.S. Dept. of Justice, which are the following: Byrne/JAG, LLEBG, STOP, RSAT, Coverdell and PSN. This includes both programmatic and fiscal monitoring. Fiscal monitoring is conducted by the Security and Employment Service Center.

All subgrantees that receive Recovery funds will be required to attend a grant management workshop to ensure their understanding and compliance with accountability and transparency.

The Maine Department of Public Safety is responsible for monitoring awards and providing reasonable assurance that sub-grantees are:

- Doing what was proposed and approved
- Meeting programmatic, administrative, fiscal requirements
- Identifying and resolving problems/issues
- Receiving needed technical assistance
- Federal Regulation compliance: EEOP, faith-based requirements

The goals of grant monitoring are to:

- Provide accountability and oversight
- Ensure proper spending
- Visit programs that may need assistance
- Measure sub-grantee performance
- Identify opportunities for improvement
- Serve the needs of the sub-grantees
- Provide a helpful environment

Grant Monitoring shall be accomplished through the following methods:

- Technical Assistance

- Desk Review
- On-site and Assessment Visits
- Regular Communications

SUBGRANT SITE VISIT MONITORING GUIDELINES for High Risk Sub-grantees that compose this area have one or more of the following characteristics:

- First time subgrantees
- Confidential funds
- Community type grantees
- Large increase in funding

## **Anticipated Coordination Efforts Involving JAG and Related Justice Funds**

### **Multi-disciplinary Advisory Board: Maine Justice Assistance Council**

The Justice Assistance Council has oversight of other programs authorized under the Violent Crime Control Act of 1994 including the following programs funded by the Office of Justice Program agencies: Violence Against Women S\*T\*O\*P\* Formula Grant Program, Residential Substance Abuse Treatment Program and the Law Enforcement Block Grant Program. Similarly, the Department of Public Safety is the designated state administrative agency for these programs. This arrangement promotes the consideration of other BJA programs in the planning process and the development of coordinated and comprehensive approaches to programming the use of Federal grant resources.

Moreover, the Maine Justice Assistance Council's membership includes individuals with direct policy and administrative responsibility for other federally funded programs, including those supporting State and local drug abuse treatment, juvenile justice, education and prevention representing interests of Federal, State, and local criminal justice professionals, substance abuse, and victims and service providers. Its composition is designed to facilitate coordinated planning and program implementation of both federally, state and locally funded programs and projects. It provides for:

- Coordination among criminal justice system agencies with the State, including State and local representatives;

- Coordination among State and local criminal justice agencies and Federal law enforcement agencies;
- Coordination among the State and local criminal justice, drug treatment, and education/prevention agencies charged with administering Federal formula funds for drug prevention and control; and
- Coordination of the State Administrative Agency with relevant representatives of the public, including private community groups.

### **Performance Measures**

- Retention or creation of jobs for programs or projects undertaken with this funding.
- Activities that improve the effectiveness and efficiency of Maine's criminal justice system, processes and procedures to include:
  1. Drug intervention and arrests
  2. Prosecution of drug cases
  3. Improvements in Criminal Justice information sharing
  4. Appropriate pre-trial supervision
  5. Efficiencies in prisoner transportation
  6. Number of personnel trained utilized both traditional and online methods.
  7. Coordination with other federally funded projects
- Effective monitoring of federally funded projects.

## Timeline

Goals	Objectives	Est. Jobs	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4
<i>Sustain/Create Jobs within MDEA</i>	Hire or sustain drug task force agents	7	X	X	X	X				
<i>Sustain/Create Jobs within Office of the Attorney General</i>	Hire or sustain drug prosecutors	5	X	X	X	X				
<i>Integrated Public Safety System</i>	Hire or contract, using small and local contractors, many highly paid professional technical development personnel on a temporary basis. This project is fully planned and ready to build, so contractors will be put to work quickly and steadily until the completion of the project in 2011.	18								
<i>Correctional System Improvements – Pretrial Services</i>	Expand contracts for offender monitoring thus reducing jail costs; create efficiencies by reducing demand for jail beds	15	X	X	X	X				
<i>Correctional System Improvements – Transportation</i>	Efficiencies in transportation	1	X	X	X	X				
<i>Contractual Support to complement Local Initiatives with RFP Pass-Through Funds</i>	Contract with units of local government	5	X							
<i>Training</i>	Providing training for personnel where there are system gaps; consider online training where appropriate Estimated Total	0 51								

## **Budget**

The budget will be determined once the Justice Assistance Council makes award decisions based upon a request for proposal process.

## **Review Requirements**

STATE OF MAINE  
**FY2009 RECOVERY BYRNE/JUSTICE ASSISTANCE GRANT PROGRAM**

Review: This application was presented for review to the Maine Justice Assistance Council on March 16, 2009.

Public Comment: On March 16, 2009, the Maine Justice Assistance Council conducted a public hearing on the proposed application, at which time the opportunity to comment on the proposed use of JAG was provided to citizens and neighborhood or community organizations.



## Application for Federal Assistance SF 424

<b>APPLICATION FOR FEDERAL ASSISTANCE</b>	2. DATE SUBMITTED	Applicant Identifier
1. TYPE OF SUBMISSION Application Non-Construction	3. DATE RECEIVED BY STATE	State Application Identifier
	4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
<b>5. APPLICANT INFORMATION</b>		
Legal Name	Organizational Unit	
State of Maine	Department of Public Safety	
Address 104 State House Station Augusta, Maine 04333-0104	Name and telephone number of the person to be contacted on matters involving this application  Lucia, Mary (207) 626-3831	
6. EMPLOYER IDENTIFICATION NUMBER (EIN) 01-6000002	7. TYPE OF APPLICANT State	
8. TYPE OF APPLICATION New	9. NAME OF FEDERAL AGENCY Bureau of Justice Assistance	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 16.803 CFDA 16.803 - Recovery Act - Justice Assistance Grants TITLE: - State	11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT 2009 Recovery Byrne/JAG Formula Grant	
12. AREAS AFFECTED BY PROJECT Statewide		
13. PROPOSED PROJECT Start Date: June 01, 2009 End Date: May 31, 2013	14. CONGRESSIONAL DISTRICTS OF a. Applicant b. Project ME00	
15. ESTIMATED FUNDING	16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
Federal	\$6,060,129	Program has not been selected by state for review
Applicant	\$0	
State	\$0	
Local	\$0	
Other	\$0	

Program Income	\$0	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?  N
TOTAL	\$6,060,129	
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS REQUIRED.		

## Certifications

U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS

**Recovery Act – Justice Assistance Grant (JAG) Program**

Certification as to Recovery Act Reporting Requirements

On behalf of the applicant entity named below, I certify the following to the Office of Justice Programs, U.S. Department of Justice:

I have personally read and reviewed the section entitled "Accountability and Transparency under the Recovery Act" in the program announcement for the Recovery Act grant program identified above. I have also read and reviewed section 1512(c) of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), concerning reporting requirements for grants. I agree that the applicant will comply with the reporting requirements set forth therein with respect to any grant the applicant may receive under the Recovery Act grant program identified above.

I acknowledge that a false statement in this certification may be subject to criminal prosecution, including under 18 U.S.C. § 1001. I also acknowledge that Office of Justice Program grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs, and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant entity (that is, the entity applying directly to the Office of Justice Programs).

  
\_\_\_\_\_  
Signature of Certifying Official

Anne H. Jordan  
\_\_\_\_\_  
Printed Name of Certifying Official

Commissioner  
\_\_\_\_\_  
Title of Certifying Official

Maine Dept. of Public Safety  
\_\_\_\_\_  
Full Name of Applicant Entity

4/3/09  
\_\_\_\_\_  
Date

U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS

**Recovery Act – Justice Assistance Grant (JAG) Program**

General Certification as to Requirements for Receipt of Funds  
for Infrastructure Investments

On behalf of the applicant state or unit of local government (including tribal government) named below, I certify the following to the Office of Justice Programs ("OJP"), U.S. Department of Justice:

I have personally read and reviewed the section entitled "Eligibility" in the program announcement for the Recovery Act grant program named above. I also have personally read and reviewed section 1511 of the American Recovery and Reinvestment Act of 2009 (the "Recovery Act"), which requires a specific certification prior to receipt of Recovery Act funds for infrastructure investments.

*Initial the statement that applies:*



The applicant identified below **does not intend to use** any portion of any funds received under this Recovery Act grant program for any infrastructure investment. Should this intention change, the applicant will promptly notify OJP, and (except to the extent, if any, that OJP has given prior written approval to expend funds to conduct the review and vetting required by law) will not draw down, obligate, or expend any funds received under this Recovery Act program for any infrastructure investment project until section 1511 of the Recovery Act has been satisfied, and an adequate project-specific certification has been executed, posted, and submitted to OJP.

\_\_\_\_\_ The applicant identified below **does intend to use** some or all of any funds received under this Recovery Act grant program for one or more infrastructure investment projects. Except to the extent, if any, that OJP has given prior written approval to expend funds to conduct the review and vetting required by law, I agree that the applicant entity will execute, post, and submit to OJP, prior to obligating, expending, or drawing down funds for such project, a project-specific certification that satisfies all of the requirements of section 1511 (including execution by the Governor, mayor, or other chief executive, as appropriate) for each such infrastructure investment project.

U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS

General Certification as to Requirements for Receipt of Funds  
for Infrastructure Investments

I acknowledge that a false statement in this certification may be subject to criminal prosecution, including under 18 U.S.C. § 1001. I also acknowledge that Office of Justice Program grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant (that is, the governmental entity applying directly to the Office of Justice Programs).

  
Signature of Certifying Official

Anne H. Jordan  
Printed Name of Certifying Official

Commissioner  
Title of Certifying Official

Maine Dept. of Public Safety  
Full Name of Applicant Government Entity

4/3/09  
Date